Sensitive Community Areas

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Sensitive Community Area Overview

The 2021 Comprehensive Plan included significant updates to the Future Land Use Map. In turn, the Future Land Use Map guided an updating to the Zoning Map, which was shared in draft form in February 2023. One piece of the Comprehensive Plan Future Land Use Map that has not yet been addressed in the draft Zoning Ordinance is Sensitive Community Areas.

Excerpts from the 2021 Comprehensive Plan (page 27)

To view the Future Land Use Map, including the Sensitive Community Areas, please click here.

Sensitive Community Areas are places throughout Charlottesville that include concentrations of community members who may be demographically sensitive to displacement pressures and potentially most at risk for displacement. Sensitive Community Areas are the General Residential areas that fall within Census Block Groups that have relatively high proportions of the communities listed below, using ACS 2018 5-year estimates.

- Households with Income <$30,000/year, which is about 30% Area Median Family income, or 50% Area Median Household Income
- Black residents, Hispanic residents, and other residents who do not identify as White and Non-Hispanic

Policy Goals for Sensitive Community Areas

- Prioritize these areas for zoning tools that seek to mitigate displacement
- Keep legacy residents in place (if so desired) and support wealth building
- Create a focus area for owner-occupied rehabilitation assistance or similar financial tools to subsidize the development or maintenance of affordable housing
- Allow for limited commercial and business uses

In the Comprehensive Plan, the two lowest-intensity residential categories are "General Residential" and "General Residential (Sensitive Community Area)". In the current draft of the zoning ordinance, both of these areas fall under the R-A zoning district. A summary of the description in the Comprehensive Plan and the draft Zoning Ordinance for each of these areas is noted in the table below.

Comp. Plan Land Use Category	Comprehensive Plan Description	Zoning District R-A
General Residential	• Up to 2.5 stories. • Up to 3-unit dwellings including existing single-family splits, accessory dwelling units (ADUs), and new housing infill. • Allow up to 4-unit dwellings if the existing structure is maintained. • Allow additional units and height under an affordability bonus program or other zoning mechanism. • Zoning ordinances will consider ways to support townhomes in this category on a site-specific basis.	• Up to 2.5 stories • 3 dwelling units, up to 4 with existing structure maintained. • Up to 8 units with bonus (if all 8 units are affordable at 60% AMI).
General Residential (Sensitive Community Areas)	• Up to 2.5 stories. • Allow 1 unit per lot. • Allow up to 3-unit dwellings if the first unit meets affordability requirements. • Allow up to 4-unit dwellings if the existing structure is maintained and at least one affordable unit is provided. • Zoning ordinance to consider support for existing "plexes" - e.g., duplexes - at the base level. • Consider allowing additional units and height under a bonus program or other zoning mechanism with greater and deeper affordability than non-sensitive areas.	Currently the same as above.

Note that though the Comprehensive Plan is not a regulatory document, the land use section provides a guide for the Zoning Rewrite.

We are working to determine the best path forward for supporting mitigation of displacement in the Sensitive Community Areas through the Zoning Ordinance in the context of the current draft, including affordability measures.

Tools for Mitigating Displacement Risks

The goal of recognizing the Sensitive Community Areas is to acknowledge that there are areas of the city where many members of a neighborhood are at risk for displacement, and there may be a need to reduce development pressure to therefore mitigate displacement risks. However, we know that there are potentially vulnerable community members *throughout* the city.

Outside of zoning, there are other ways that the City can mitigate displacement risks. There are two tools the City is currently using, focused on real estate and rent relief programs for the elderly and low-income.

- Real Estate Tax Relief: Intended to promote and preserve home ownership for elderly and disabled community members.
- Rent Relief: Intended to provide for the payment of grants to qualified tenants residing in the City of Charlottesville.

The City has also made a target to spend $10 Million per year for 10 years to implement the 2021 Affordable Housing Plan, which includes a range of potential strategies for improving affordability, including several tools focused on mitigating displacement. Expansion of multi-family housing options throughout the city is one recommendation that is included in the current draft zoning ordinance. Though not all are currently in place, other recommended initiatives and programs include:

- Tenant protections
- Expansion of subsidy programs
- Implementation of a land trust to have local control over provision of housing
- City- or community-based land acquisition models

Potential Sensitive Community Area Approaches

There are several potential zoning tools for Sensitive Community Areas listed in the Comprehensive Plan, including:

- Refining lot subdivision regulations
- Defining smaller minimum lot sizes to allow large parcels to be subdivided into separate lots
- Allowing for portions of the primary lot to be divided into secondary lots
- Defining maximum lot width to avoid lot mergers

The Comprehensive Plan also notes that, for Sensitive Community Areas, “Tools should be re-evaluated over time and adjusted to ensure that outcomes support policy goals. These areas, and others with similarly high proportions of communities with a high displacement risk, should be focus areas for City subsidy focused on anti-displacement tools.”

The City is considering two general approaches to Sensitive Community Areas in the context of the current draft zoning ordinance. Both approaches, outlined in the table below, should include non-zoning support for Sensitive Community Areas, including targeted infrastructure investments.

	Approach 1: Use Zoning to Limit Development Potential	**Approach 2: Focus on Non-Zoning Support**
Potential Approach	• Add a zoning overlay to define a more restrictive allowance for Sensitive Community Areas. • This could include requiring affordable units, further limiting the size of buildings, limiting the number of units allowed, etc.	• Retain the same zoning allowances on all areas identified as General Residential in the Comprehensive Plan. • Focus on implementation of non-zoning tools to support current residents in Sensitive Community Areas (and other vulnerable residents throughout the city).
Potential Trade-offs to this Approach	• Development pressures may initially be reduced in the short-term. • Current owners would potentially experience less increase in home value and less wealth building potential. • For many of the identified sensitive community areas, market pressure will continue to drive turnover of property and units to higher wealth occupants requiring non-zoning interventions.	• Requires time and funding to implement those tools that are not already in place.

How the City Will Determine a Final Zoning Approach

- The City is gathering input from community members and elected/appointed officials (including input from the Planning Commission and City Council) related to the draft zoning ordinance in winter and early spring 2023.
- In mid-spring 2023 (approximately May), the City plans to release a full draft ordinance ahead of a series of public hearings related to the draft zoning ordinance in late spring (approximately June).
- **We intend to share any updates to the strategies related to Sensitive Community Areas with the refined draft, and we encourage you to share your feedback about the strategies provided in this document.**
- All comments are being considered as the City refines the draft Zoning Ordinance, and all comments will be shared with elected and appointed officials as they review and consider adopting the draft ordinance.